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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARK YOUNG, on behalf of himself and all
others similarly situated,

Plaintiff,

v.

SOLANA LABS, INC.;
MULTICOIN CAPITAL MANAGEMENT
LLC; KYLE SAMANI,

Defendants.

Case No. 3:22-cv-03912-RFL

CLASS ACTION

**PLAINTIFF'S UNOPPOSED
ADMINISTRATIVE MOTION CONCERNING
PAGE LIMITS**

JURY TRIAL DEMANDED

1 Pursuant to Civil Local Rule 7-11, Lead Plaintiff Mark S. Young (“Plaintiff” or “Young”) files
2 the instant Motion for Administrative Relief to respectfully request that the Court (i) permit Plaintiff’s
3 twenty-five (25) page Opposition to Defendants’ Motion to Compel Arbitration; or (ii) in the
4 alternative, Plaintiff respectfully requests that the Court permit Plaintiff to re-file his Opposition to
5 Motion to Compel Arbitration in accordance with the fifteen (15) page limit set forth in this Court’s
6 Standing Order.

7 On April 11, 2024, Defendant Solana Labs, Inc. filed its Motion to Dismiss Plaintiff’s
8 Consolidated Amended Class Action Complaint. ECF Nos. 76. On April 11, 2024, Defendants
9 Multicoin Capital Management LLC and Kyle Samani filed their Motion to Dismiss Plaintiff’s
10 Consolidated Amended Class Action Complaint. ECF No. 80. All Defendants also filed a Joint Motion
11 to Compel Arbitration (“Motion to Compel Arbitration”). ECF No. 78. In support of their Motion to
12 Compel Arbitration, Defendants filed the Declaration of David H. McGill (the “McGill Declaration”).
13 ECF No. 78-1. The McGill Declaration attached several exhibits: (i) a copy of the Exodus download
14 screen as it appeared on August 21, 2021, and (ii) a copy of the Exodus Terms of Service from July 1,
15 2021. *Id.* The McGill Declaration also contains multiple screenshots which Defendants argue as
16 evidence in support of their Motion to Compel Arbitration. *Id.*

17 On April 30, 2024, Plaintiff filed an Administrative Motion to Align Briefing Schedules on
18 Defendants’ Motions to Dismiss and Motion to Compel. ECF No. 84. Per the Administrative Motion,
19 Plaintiff filed his Opposition to Solana Labs, Inc.’s Motion to Dismiss on May 13, 2024. ECF No. 88.
20 That same day, Plaintiff filed his Opposition to the Motion to Dismiss filed by Multicoin and Samani.
21 ECF No. 87. On May 13, 2024, Plaintiff filed a twenty-five (25) page Opposition to Defendants’
22 Motion to Compel Arbitration. ECF No. 86.

23 Through the instant Administrative Motion, Plaintiff requests the Court’s permission to exceed
24 the fifteen (15) page limit set by the Court’s Standing Order for its Opposition to Defendants’ Motion
25 to Compel, already filed by Plaintiff on May 13, 2024.

26 This Court’s Standing Order permits twenty-five pages for Motions for Summary Judgment,
27 and the legal standard for a motion to compel arbitration is the same as the legal standard for a motion

for summary judgment. *Powell v. UHG I LLC*, 2023 U.S. Dist. LEXIS 231197, at *4-5 (S.D. Cal. Dec. 23, 2023); *see also Newbill v. CVS Caremark, LLC*, 2023 WL 4746120, at *2 (D. Ariz. July 25, 2023) (considering motion to compel arbitration under summary judgment standard where both parties submitted matters outside the pleadings, including declarations and exhibits). *See also Gonzalez v. Comenity Bank*, 2019 WL 5596800, at *4 (E.D. Cal. Oct. 30, 2019) (“On a motion to compel arbitration under the FAA, courts apply a standard similar to the summary judgment standard applied under Rule 56 of the Federal Rules of Civil Procedure.”); *Wang v. Life Ins. Co. of the Sw.*, 2019 WL 13201949, at *3 (N.D. Cal. Dec. 19, 2019) (same). As set forth above, Defendants have submitted evidence, *i.e.*, the McGill Declaration, as well as several exhibits to the McGill Declaration, in support of their Motion to Compel Arbitration.

In the alternative, should the Court deny Plaintiff’s Administrative Motion to permit his twenty-five (25) page Opposition to Defendants’ Motion to Compel Arbitration, Plaintiff respectfully requests that the Court permit Plaintiff to re-file its Opposition to Defendants’ Motion to Compel in accordance with the fifteen (15) page limit set forth in this Court’s Standing Order.

Plaintiff met and conferred with Solana Labs, Multicoins, and Samani, who do not oppose Plaintiff’s page-extension request provided that if the Court grants Plaintiff such an extension, Defendants be afforded additional pages for a total of twenty (20) pages on Reply. Declaration of Matthew Weiler in Support of Administrative Motion re Page Limits (“Weiler Decl.”), ¶¶ 2-3. Alternatively, if the Court requires that Plaintiff file a fifteen (15) page opposition as per the Court’s Standing Order, Defendants ask that Plaintiff be required to file within three (3) days of the Court’s order, and that Defendants be afforded the later of three (3) weeks after the Court’s order or June 20, 2024, to file their Joint Reply in Support of Defendants’ Motion to Compel Arbitration. *Id.* at ¶ 3.

In conclusion, Plaintiff respectfully requests that the Court: (i) permit Plaintiff’s twenty-five (25) page Opposition to Defendants’ Motion to Compel Arbitration already filed on May 13, 2024; or (ii) in the alternative, Plaintiff respectfully requests that the Court permit Plaintiff to re-file his

1 Opposition to Motion to Compel Arbitration in accordance with the fifteen (15) page limit set forth in
2 this Court's Standing Order.

3
4 Dated: May 29, 2024

Respectfully submitted,

5 /s/ Matthew S. Weiler

6 Todd M. Schneider (SBN 158253)

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17 *Attorneys for Plaintiffs*

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing document with the Clerk of the Court for the United States District Court, Northern District of California, by using the Court's CM/ECF system on May 29, 2024.

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the Court's CM/ECF system.

Dated: May 29, 2024

/s/ Matthew S. Weiler
Matthew S. Weiler